

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re: : Case no.: 18-26407
Franciscus Maria Dartee :
Debtor(s) : Chapter: 11
Adv. Pro. No.: _____

CERTIFICATION OF SERVICE CONCERNING NOTICE OF APPEAL

I Lucinda Chapman, Deputy Clerk, hereby certify under penalty of perjury that the following is true.

On 12/28/18 a Notice of Appeal from the Bankruptcy Court's Order or Judgment dated 12/20/18 was filed.

A copy of the appeal was served on the following parties on 1/2/19.

Name of Party (relationship to appeal)	Address of Party	Method of Service
United States Trustee (UST)		Notice of Electronic Filing (NEF)
Franciscus Maria Dartee, Appellant	12 Moonshadow Court Kinnelon, NJ 07405	<input type="checkbox"/> Notice of Electronic Filing (NEF) <input checked="" type="checkbox"/> U. S. Mail
Laura M. Eggerman, Attorney for Appellee - The Bank of New York		<input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> U. S. Mail
Ashley L. Rose, Attorney for Appellee - The bank of New York		<input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> U. S. Mail
		<input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> U. S. Mail

JEANNE A. NAUGHTON, Clerk

Date: 1/2/19

By: /s/Lucinda Chapman
Deputy Clerk

\$238 paid
M/O # 25202371241

Official Form 417A (12/18)

IN RE: FRANCISCUS MARIA DARTEE
By: Franciscus Maria Dartee, Beneficiary
Appellant
vs.

THE BANK OF NEW YORK MELLON CORPORATION
Appellee

[Caption as in Form 416A, 416B, or 416D, as appropriate]

CHAPTER 11 CASE NO. 18-26407-JKS

U.S. BANKRUPTCY COURT
FILED
NEWARK, NJ

2018 DEC 28 P 3:46

JEANNE A. HAUGHTON

BY: 
DEPUTY CLERK

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):
Franciscus Maria Dartee, Beneficiary of FRANCISCUS MARIA DARTEE
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff

☐ Defendant

☐ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

☒ Debtor

☐ Creditor

☐ Trustee

☐ Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: Order Denying Debtor's Application For An Order Shortening Time and Other Relief Requested
2. State the date on which the judgment, order, or decree was entered: 12/23/2018

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: The Bank of New York Mellon Corporation et al Attorney: Laura M. Egerman, RAS Citron, LLC
130 Clinton Road, Suite 202
Fairfield, NJ 07004
legerman@rasnj.com
2. Party: The Bank of New York Mellon Corporation et al Attorney: Ashley L. Rose, Sandelands Eyet LLP
1545 U.S. Highway 206, Suite 304
Bedminster, NJ 07821
arose@se-llp.com
3. Party: United States Trustee Attorney: Michael A. Artis, on behalf of U.S. Trustee
1085 Raymond Boulevard, Suite 2100
Newark, NJ 07102
USTPRegion03.NE.ECF@usdoj.gov

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

By: _____ L.S.

Date: December 28, 2018

Signature of attorney for appellant(s) (or appellant(s)
if not represented by an attorney)

Name, address, and telephone number of attorney
(or appellant(s) if not represented by an attorney):

Franciscus Maria Dartee, Beneficiary of FRANCISCUS MARIA DARTEE

c/o 12 Moonshadow Court

Kinnelon, New Jersey 07405

Tel. 1-973-626-6464

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[**Note to inmate filers:** If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

FILED

JEANNE A. NAUGHTON, CLERK

DEC 20 2018

U.S. BANKRUPTCY COURT
NEWARK, N.J.

BY *Jeanne A. Naughton* DEPUTY

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

FRANCISCUS MARIA DARTEE,

Debtor.

Case No.: 18-26407 (JKS)

Chapter 11

Judge: Hon. John K. Sherwood

**ORDER DENYING DEBTOR'S APPLICATION FOR AN ORDER SHORTENING
TIME AND OTHER RELIEF REQUESTED**

The relief set forth on the following page, numbered two (2), is hereby

ORDERED.

Dated: December 19, 2018

John K. Sherwood
HONORABLE JOHN K. SHERWOOD
UNITED STATES BANKRUPTCY JUDGE

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Debtor: Franciscus Maria Dartee

Case No.: 18-26407 (JKS)

Caption of Order: Order Denying Debtor's Application for an Order Shortening Time and Other Relief Requested

This matter having come before the Court upon the application of Franciscus M. Dartee ("Debtor"), for an order shortening time for a hearing on his motion to vacate this Court's Order dated October 24, 2018 granting the Bank of New York Mellon relief from the automatic stay [Doc. 38] and the Order denying Debtor's motion for reconsideration [Doc. 41]; and the Court having reviewed the pleadings; and for the reasons set forth on the record including the Court's view that it is authorized to electronically enter orders that bear the seal of the Bankruptcy Court (*see* General Order re: Electronic Filing Procedures dated 3/27/02); and for good cause shown, it is:

ORDERED as follows:

1. Debtor's application for an order shortening time is denied.
2. Debtor's motion to vacate this Court's Order dated October 24, 2018 and the Order denying Debtor's motion for reconsideration dated October 25, 2018 is denied.

Document Page 6 of 6
Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Franciscus Maria Dartee
Debtor

Case No. 18-26407-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 20, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2018.

db +Franciscus Maria Dartee, c/o 12 Moonshadow Court, Kinnelon, NJ 07405-2949

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 22, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2018 at the address(es) listed below:

Ashley L. Rose on behalf of Defendant The Bank of New York Mellon Corporation dba The Bank of New York Mellon f/k/a The Bank of New York as successor in interest to JP Morgan Chase Bank, NA
arose@se-llp.com

Laura M. Eggerman on behalf of Creditor THE BANK OF NEW YORK MELLON bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@rasnj.com

Michael A. Artis on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4